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6 July 1970

OGC Subject: Legislation

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with House Judiciary Committee Re Resolutions to Impeach Justice William O. Douglas

1. Mr. Houston and I met with Mr. Kenneth Harkins and Mr. Howard Fogt of the House Judiciary Committee staff this afternoon to discuss Chairman Celler's letter of 22 June 1970 to the Director asking for reports, documents, and other factual data in the possession of the Agency which have a bearing on the subject of the resolutions calling for the impeachment of the Supreme Court Justice William O. Douglas. Mr. Harkins, who is the Chief Counsel for the Antitrust Subcommittee, is the senior staff man working on this subject. He is being assisted by Mr. Fogt, who is serving as Minority Counsel, and by Mr. Thomas Hutton, who was not available today.

2. Mr. Houston started to brief Harkins and Fogt on the extent of our information on the four areas delineated in Chairman Celler's letter using CA Staff's draft memorandum as a briefing aid. When he advised the staff that a review of our records did not disclose any report, written statement, affidavit, or other evidence in relation to the charges within the scope of the various resolutions, Mr. Harkins expressed surprise and then explained that for the purpose of the investigation the Committee was considering the statement made by Representative Gerald R. Ford on the Floor of the House on 15 April stating charges against Justice Douglas as part of the resolutions. We indicated that while we were generally familiar with Mr. Ford's Floor statement we had not considered it to be included in the scope of Chairman Celler's letter and therefore it would be necessary for us to review our records further in the light of this broader scope of the Committee's inquiry to us.

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3. Mr. Houston proceeded with his briefing following the points raised in Chairman Celler's letter. We attempted to explain to the staff members that the type of information we had related to the project in which [redacted] was working and did not have a bearing on anything which we were aware of regarding the charges made against Justice Douglas. Mr. Harkins explained that the Committee and the staff in attempting to thoroughly investigate the charges, feel it is necessary for them to satisfy themselves that they have reviewed all documents, records, etc. which might have any bearing whatsoever on the charges, Douglas' relationship to the Parvin Foundation, and to the Inter-American Center for Economic and Social Studies (CIDES). In response to a specific question as to the extent of Agency documents which might be involved, Mr. Houston stated that project files and other data constituted approximately 64 boxes of file material. Mr. Houston suggested that under the circumstances it would seem that, in order to satisfy themselves and the Committee, the staff should discuss this material with our staff people who have reviewed it to satisfy themselves regarding the subject matter involved. Harkins pointed out that the staff did not want to be exposed to classified national security information unless it had a direct bearing on the issues which they were investigating.

4. It was agreed that we would get together with our people again to reexamine the situation in terms of the broader scope of the Committee inquiry and to determine how a screening of the files might be conducted. Harkins said that the Committee has 60 days in which to submit its report, and they are anxious to proceed as soon as possible. He suggested this Thursday as a possible day for them to look at our records. At the close of our discussion Mr. Harkins mentioned that he had refrained from contacting the Agency in the hope that it would be unnecessary, but he said one of the first statements made to the staff by counsel for Justice Douglas was that the Committee should be in contact with the Agency in connection with its investigation.

[redacted]
Assistant Legislative Counsel

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